

NEARING THE END OF TRYING ORDEAL

District-Attorney About
Concludes Mrs. Thaw's
Examination.

HAS AN EASY DAY AND HELPS HUSBAND

Says Thaw Took White's Letter
of Credit From Her and Said
the Money Was Poisoned.
Cablegrams Did Not
Refer to
Her.

NEW YORK, February 25.—Except for one brief moment, Mrs. Evelyn Nesbit Thaw had a decidedly easy day of it today during the continuation of her cross-examination by District Attorney Jerome. When adjournment was taken the prosecutor announced that he had practically concluded with this witness.

Mrs. Thaw will be temporarily excused to-morrow morning to enable Mr. Jerome to introduce Abraham Hummel to identify a photograph copy of the affidavit Evelyn Nesbit is alleged to have signed, and which charges Thaw with many cruelties during their 1903 trip to Europe. The district attorney got the contents of the affidavit before the jury this afternoon by reading certain of its statements in the form of questions, and asking Mrs. Thaw if she told such things to Mr. Hummel. In each instance she declared she had not.

She also denied ever having signed such an affidavit, admitting that she had, however, signed some papers for White in the Madison Square Tower, of whose nature she was not aware.

Did Not Know Dr. Flint.

It was during the morning session that Mr. Jerome played his strongest card of the day. Mrs. Thaw had denied most positively that she had ever been to see Dr. Carlton Flint with Jack Barrymore.

"Call Dr. Flint," commanded Mr. Jerome to a court attendant.

The doctor entered from the witness-room and was escorted to within a few feet of the witness chair.

"Did you ever see that man before?" Mr. Jerome asked Mrs. Thaw.

The witness seemed just a bit startled, looked quickly and intently at the physician, then turned to Mr. Jerome and shook her head.

"Never," she declared.

That was intensely interesting in this incident, and when it was over he turned to the newspaper men sitting near him and whispered:

"That man made a mistake in coming here. He stood there a half. Do you catch the point?—a half."

In Better Spirits.

Mrs. Thaw was in much better spirits when she took the stand to-day, and looked decidedly better physically than she did last week. She seemed to be much at home in the witness chair, and with a foot stool and back cushion appeared quite comfortable. She had all her wits about her, and did not fare at all badly at the hands of the district attorney, who was more gentle in handling the witness.

Instead of further hurting the cause of her husband, Mrs. Thaw managed to make two decided gains.

When court adjourned last Thursday it appeared from her own statement that she had used a letter of credit from Stanford White while touring in Europe, and had turned the letter over to Thaw. To-day she explained that Thaw took the letter of credit from her, saying the money was "poisonous," and neither she nor her mother should touch it, and that he would provide them with funds. What-ever had been spent of the money, she declared, was for her mother.

Referred to a Man.

The second point Mrs. Thaw made was concerning the cablegrams which Thaw is said to have sent to Stanford White from London. It appeared Thursday that these cablegrams were requests to White to use his influence in keeping Mrs. Thaw from "relating a row" and interfering with Evelyn continuing company with Thaw. Mr. Jerome took up the case again to-day, but his questions elicited the information that the letters did not concern Mrs. Thaw at all, but related to a man in London, whom Mrs. Thaw said had "sneaked up to mamma's bedroom and insulted her."

She said the man had also insulted her, and that Thaw had gone in search of him, but failed to find him.

To-day's proceedings dragged a great deal, and it was evident long before he announced the fact that Mr. Jerome was nearing the end of his cross-examination.

Will Call Hummel To-Day.

To-morrow's proceedings, said Mr. Hummel on the stand, should be most interesting. The defense, on cross-examination, will attempt to discredit the witness, who is under indictment. It may be late in the afternoon before Mrs. Thaw will again take the stand for Mr. Jerome's final questions, which will have to do with the affidavit. Should the defense decide to proceed with the redirect examination of Mrs. Thaw, and Mr. Jerome should take up the recross-examination, Mrs. Thaw may be kept on the stand all of Wednesday and Thursday. There may be an attempt, however, to intersperse the last phases of her testimony with further statements from the experts.

Mrs. William Thaw, mother of the defendant, and Mrs. Carnegie, his sister, were at the courthouse to-day for the first time in ten days. Mrs. Thaw had been suffering from a severe cold.

Money From White.

Mr. Jerome's first leading question to-day was:

"How long after the dragging in the Twenty-fourth Street house was it that the account was opened for you in the Amsterdam Bank by Stanford White?"

"I can't tell how long—it might have been a month," Mrs. Thaw answered.

Mrs. Jerome continued to hold the measure of documentary evidence before the witness, basing all his questions

TWO RICHMOND MEN LEAP FROM WINDOW OF BURNING HOTEL

R. N. Norment and T. A. Stanford
Are Hurt, Former Having
Ankle Broken.

(Special to The Times-Dispatch.)
CHARLOTTE, N. C., February 25.—Hickory Inn, of Hickory, N. C., one of the finest and best-known summer resort hotels in Western North Carolina, was totally destroyed by fire early this morning, and a half dozen guests, among them two Richmond traveling men, were badly injured.

The blaze originated about 4 o'clock in the baggage-room of the hotel from the explosion of an oil lamp, and spread so quickly that the guests had to flee for their lives in their night clothing, many being forced to jump from second and third-story windows. Those injured by jumping are: R. N. Norment, Richmond, Va., broken ankle; T. A. Stanford, Richmond, Va., with Cottrell Saddle Works, back wrenched, but not seriously; H. Bodenhelm, New York, leg broken; A. G. Spangler, Bryan, O., back wrenched; J. E. Montague, Hickory, proprietor, back seriously sprained.

None of the guests saved any of their personal effects. The house was built in 1888, at a cost of \$40,000.

TO PLACE WREATHS IN DAVIS' SECTION

Mrs. Hayes Commemorates Sixty-
Second Anniversary of Marriage
of Illustrious Parents.

Mrs. Varina Jefferson Hayes, of Colorado Springs, Col., daughter of the late President of the Southern Confederacy, wrote yesterday to a prominent Richmond lady and an intimate friend of her father's family, requesting her aid in the purchase of flowers to be placed on the graves of her illustrious parents, in Hollywood, commemorative of the sixty-second anniversary of their wedding day, the marriage having taken place February 25, 1845.

In response to Mrs. Hayes's request, two beautiful wreaths of bay leaves, fastened with bunches of red and white carnations, were arranged under direction of her friend by a Richmond florist, and will be taken to the Davis section this morning by Miss Hattie Ross. The feeling prompting Mrs. Hayes to remember a date sacred in the lives of those so dear to her is one which will touch a sympathetic chord in all Southern hearts.

SUES VIRGINIA WIFE TO TEST HER DIVORCE

Port Ransom, New York Lawyer,
Institutes Proceedings to De-
cide His Real Status.

(Special to The Times-Dispatch.)
NEW YORK, February 25.—Port V. Ransom, a lawyer, has been in a quandary as to whether he is married or divorced. He has brought suit against his wife, Eva B. N. Ransom, now of Madison county, Va., before Judge Downing, in the New York Supreme Court, to establish his real status. The judge has reserved his decision.

About six years ago Ransom was defendant in a suit brought by his wife for absolute divorce. She had come to Virginia and brought the suit in that State. Notice was by publication in Virginia newspapers, and no personal notice was ever served on Ransom. Neither was he notified of the taking of evidence, according to his counsel, George P. Breakinridge.

A divorce was granted Mrs. Ransom. Ransom's present suit alleges that on account of the failure to notify him of the action, and the taking of testimony, he was never divorced.

BAILEY ENDORSED BY TEXAS SENATE

Followers of the Senator Carry
Their Point and Discharge
Investigating Committee.

AUSTIN, TEX., February 25.—By a vote of 15 to 11, the Texas Senate today discharged the investigating committee, which has been in session several weeks looking into charges against United States Senator Joseph W. Bailey. The anti-Bailey following had offered a resolution instructing the committee not to bring in a report at this time, but to send a subcommittee of five to investigate the charges.

The anti-Bailey following had offered a resolution instructing the committee not to bring in a report at this time, but to send a subcommittee of five to investigate the charges.

After a rather heated debate, the substitute resolution was passed by a vote of 15 to 11.

SWIMS 1-4 OF MILE IN FREEZING WATER

Marine Strips and Makes Daring
But Unsuccessful Attempt
to Escape.

(Special to The Times-Dispatch.)
NORFOLK, VA., February 25.—John Behrle, a United States marine, made an effort to escape the service this afternoon that was worthy of a better cause, saying down his arm while on his guard duty, he dived himself into the water and swam to the river for the outward bounds of the naval reservation and liberty. After swimming a quarter of a mile he climbed ashore beyond the wall. In the nude as he was, water and weather were cold for him.

A confederate failed to meet him with clothing and the deserter was arrested as he was by a secret service man.

MAYOR'S PLAN TO LIQUIDATE DEBT

By Frugality for Seven
Years City Would be
Able to Extinguish All.

STRONG PLEA FOR ELECTRIC PLANT

Executive Addresses Council on
Finances and Details Scheme
for Extinguishing Debt
and Yet Providing for
All Intervening
Needs.

Striking Sentences In Address of Mayor

The ruin of this city is within the power of the Council. They have the power to blast the future of the city or to increase the happiness and welfare of all the people.

In Virginia to-day we lack one man to whom the people look up as their leader. The same is true to a great extent of Richmond.

What the proposed debt system would cost the city no man knows. What they would cost the city before we are through with them no angel knows.

The entire city debt can be extinguished or actually redeemed and new issues of like amounts expended for improvements in thirteen years without a dollar's increase of burden.

The eighteen per cent limit of our bonded debt is dangerous. Keep away as far from it as a careful driver would from a precipice.

I hope there is nobody here too fearful to say that we ought to own our own light plant.

It is the solemn duty of the Council to protect the city against arrogant monopoly.

It is my Christian duty to denounce any man who comes here to limit our supply of the water of the James, or who attempts to do so.

Save all bond issues for non-productive expenditures, and use the special legislative act for productive investments such as water and light.

The primary and chief use of taxation is to maintain good government, and not to benefit the individual.

If the demand for the return of taxes to the people in the form of viable, tangible, physical improvements continues, and the right is enforced, we prepare for the increase of taxation to meet this new feature of government.

Property is being put above the mind and soul of man in the growing expenditure of tangible and physical personal benefits.

Mayor Carlton McCarthy, an expert statistician and financier, last night delivered an epoch-making address to the two branches of the Council, by invitation of that body. For an hour and forty minutes he reviewed the financial status of the city, and especially its bonded debt and certain prospective issues, incidentally discussing some live problems now pressing for solution. At times he was applauded warmly and throughout he was given the closest attention.

The Mayor made a powerful appeal to the Council to refrain from increasing the bonded debt during the next eighteen months, and providing for meeting the bonds maturing in that time, in which event the work of redemption would be comparatively light for the ensuing five years.

Thereafter, for a period of six years, no bonds would mature, thus placing the city in such a position that by 1920 the Council would have the choice between absolutely annihilating the bonded debt or of issuing refunding bonds, which could be expended for public improvements. If the five cents reduction in taxes were applied to bond redemption, this annual \$50,000 would permit the beginning of the redemption of all outstanding bonds by January, 1909.

The feature of the speech, that in which the statistical portion was applied practically, was the argument that by issuing bonds only for non-productive expenditures, and making use of the special act for issuing bonds by special sections, the city could provide for its water, gas and electric light departments without in any way impairing its credit or having the issue counted against its ordinary budget.

In this connection the Mayor made a powerful and impassioned plea for the preservation by the city of its public utilities and the operation of its water and gas and electric lighting and power plants. He declared himself in favor of issuing bonds in any amount necessary to provide an electric light and power plant, and with all the force and fervor and emphasis he could command urged the importance of doing this in his own enthusiasm aroused that of his audience.

In this connection he advocated the construction of a series of stand-pipes in the heart of the city's business district to undertake to limit the supply of water the city might derive from James River, stating that he would advocate ignoring injunctions and a resort to force, if necessary, to defend the city's inherent rights from either alienation or usurpation.

The question he said, was not what Richmond will allow corporations to do, but whether those franchises will permit the city to provide ample water, and other public necessities, and utilities. Just as the army and the navy of the government are maintained to insure peace, so it was the solemn duty of the Council to protect the public against outrage money by.

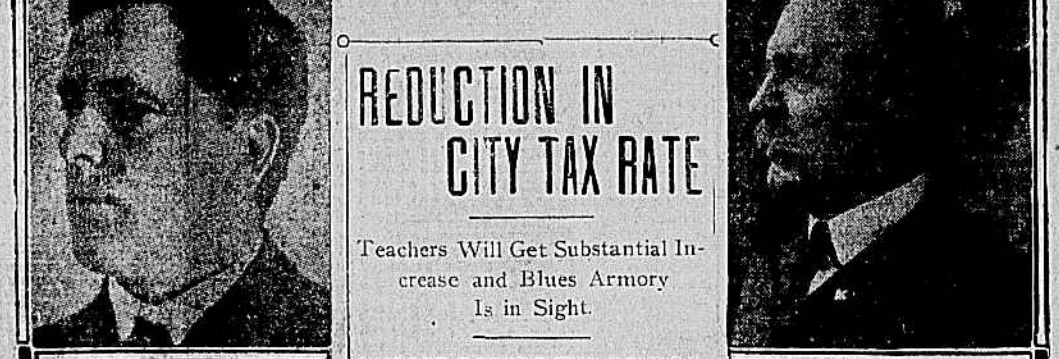
In concluding his very striking address, Mayor McCarthy discussed the

(Continued on Twelfth Page.)

COUNSEL FOR DEFENCE AND PROSECUTION AND SCENE ON BYWATERS' DEATH



SCENE OF THE SHOOTING



J. A. C. KEITH

REDUCTION IN CITY TAX RATE

Teachers Will Get Substantial In-
crease and Blues Armory
Is in Sight.

BUDGET BEFORE THE COUNCIL

The Total Sum Appropriated Is
\$2,377,680.06—What Interesting
Document Contains.

What Budget Contains.

Increase of thirty-three and a third per cent. in school pay-roll. Recommendation of \$40,000 installment for Blues' armory. Increased funds for health department work. Increased appropriations to charities, etc.

Substantial increase in police appropriation. Extensions of fire department service. Substantial increase in funds for street improvements. Reduction of tax rate by five cents on \$100.

At a special session called for the purpose the Common Council last night received the budget recommendations of the Finance Committee for the expenditure of the funds available for the year 1907. It need hardly be added that a large number of the executive officers and employees of their departments were present to hear the report.

Taxes Reduced.

Accompanying the budget was an ordinance reducing the city tax rate five cents on the \$100 of values, and making the aggregate tax \$1.25 per \$100, instead of \$1.40. Both the tax reduction proposition and the budget recommendations go over under the statutes until a later meeting. The Council adjourned until Thursday evening at 8 o'clock, at which time consideration of the budget will be begun. The law requires that at least two days shall elapse before its presentation and action thereon.

Teachers Get More.

The public school teachers will secure a handsome salary increase, the amount appropriated to pay-roll account for the school being \$159,307.17 compared with \$120,000 last year, an increase of practically \$40,000 or about 33 1/3 per cent. The amount of increase in the salaries of the various classes of teachers is left to the school board to determine, but the wishes of the Council, as expressed hereafter, will have weight in determining the matter. It is sufficient to say that substantial increases will be made in practically all cases.

Armory for Blues.

Another appropriation of great interest to a large number of persons is that of \$40,000 suggested as the first installment for a new armory for the Richmond Light Infantry Blues. While the budget contains no hint of where the new market building and armory at Sixth and Marshall Streets, or thereabouts, will be located.

The Board of Health gets almost all it asked, including such an increase of pay-roll as will enable it to provide the additional force needed. Appropriations of \$2,000 for sanitary milk supply and inspection of dairy farms, and of \$20,000 for tuberculosis cure, are both health measures asked by the department, though the amounts are not as much as asked.

The Water and Light Departments secure all the imperative demands, except such as are embraced under the head of productive assets, which are to be provided for by bond issues, outside the bond limit.

All the various eleemosynary institutions and charitable organizations get as much as last year, or more, the Day Nursery, the Home for Confined Women and the Spring Street

(Continued on Fifth Page.)

MRS. BYWATERS IS WAITING TO BE CALLED UPON

Counsel Says Condition
Feeble and Wants
Ordeal Over.

FULL APPEAL TO UNWRITTEN LAW

Defense Will Be That Bywaters
Caused Criminal Operation,
Refused to Marry Except
at Point of Pistol, and
Then Sought to
Desert Wife.

BY WALTER EDWARD HARRIS.

CULPEPER, VA., February 25.—The opening day of the trial of James and Philip Strother for the killing of their brother-in-law, William Bywaters, on the 15th of last December, was replete with interesting developments, but rapid progress was made. A jury was obtained in a very short time from the venire of fifty brought here last night from Shenandoah, and several witnesses were examined by the prosecution.

Late to-night it is learned that the prosecution will not call Mrs. Bywaters, although the prosecution summoned her. It was impossible to ascertain from counsel for the defense whether they will have her summoned. It is possible she will be summoned by the court. The defense will bring out in court to-morrow the fact that Mrs. Bywaters, having been summoned by the prosecution, should be put on the stand by that side. It is understood the prosecution has not been able to see Mrs. Bywaters. She was interviewed at her home by counsel for the defense.

Where Fight Will Be Made.

It was made clear to-day that the question of whether Bywaters was trying to desert the woman whose life he had ruined, and whose brothers had forced a marriage to conceal as far as might be the shame he had brought upon her, is the one around which will rage the battle open to-day.

It is probable the prosecution will complete its case to-morrow. It is understood the defense will commence probably three days. The Commonwealth will have more time in rebuttal than will be consumed in direct presentation of its side of the case.

"Out of Their Own Mouths."

The defense has not summoned any witnesses. It will pursue the somewhat novel course of introducing entirely new witnesses introduced by the State. "Out of their own mouths," to quote the Scriptural phrase, seems to be the motive actuating the defense. It is thought not unlikely, however, that the defense will call more than one witness on the stand other than those which the prosecution has summoned.

There is talk of some surprises in the case. They were not foreseen in the opening of the case, and it is possible that the betrayer had done all the case for the Commonwealth, confined himself to a simple outline of known facts, and did not adduce all those insofar as giving anything like a complete picture of the case.

He simply stated a case of betrayal and consequent marriage, followed by the tragedy. He denied that there was anything in the evidence which would be admitted to show that Bywaters was attempting to desert his wife, thus indicating the prosecution's case.

Mr. Jeffries made a much stronger statement for the defense, relating all that Mr. Keith had stated to the jury, and making a most effective appeal upon the intimate relations existing between the Strother brothers and Bywaters, and emphasizing the fact that Bywaters was trying to desert his wife when he was killed.

But it is significant that I have heard more than one man say to-day that even marriage without intent to desert his wife could not be regarded as reparation in such a case; that there could be full admission that the betrayer had done all the wrong he had wrought, but that full reparation in such a case was impossible. It is a remarkable case—the most remarkable that has arisen in Virginia in years.

No Excitement.

Stories sent out from Culpeper regarding the excitement attendant on the trial have been grossly exaggerated. The case has created deep interest, of course. There is no tenseness of feeling, and if there is bitterness, it is carefully concealed. The old father of the dead man was in the courtroom during the proceedings to-day. He does not talk as a man seeking vengeance. A large number of the kinsmen of the defendants were also present. There is nothing in their conversation or bearing to show that they cherish any of those vengeful feelings indicative of an incipient feud.

The fifty veniremen from Shenandoah arrived at midnight, and were quartered at the hotel of the place, which was crowded to overflowing, owing to the presence of lawyers and correspondents, a dozen of the latter coming to attend the trial.

The courtroom when court opened at 10 o'clock was filled, but the presence of the fifty men from Shenandoah swelled the crowd. Judge Harrison came from Washington on the early train, and was on the bench at 10 o'clock. Joseph T. Lawless, of Norfolk, the partner of John L. Jeffries, of counsel for the defense, also arrived to-day.

Counsel were in their places when the judge went on the bench. Seated at one end of the table were Captain Michael Woods, of Charlottesville, the veteran prosecuting attorney, urban and polished to a degree.

Next came John Keith, acting Commonwealth's attorney, a youngish looking but with a strong, serious face. Next to him was seated "Jack Lee," of Lynchburg, probably the foremost criminal lawyer of the Southern country—so dry polite to his opponents, having little to say to

YOUNG GIRL DIES IN BURNING HOME

In Bitterly Cold Night Commis-
sioner Stout, of Lee County,
Loses Everything.

WIFE WHOLLY PROSTRATED

Loss of House, \$400 in Cash and
of Daughter More Than She
Could Stand.

(Special to The Times-Dispatch.)
JONESVILLE, VA., February 25.—The home of Edmond Stout, one of the commissioners of the revenue of Lee county, and who lives on a farm a few miles from Dryden, was totally destroyed by fire Saturday night, and one of his children, Hazel, a girl of two years, was burned to death. He lost everything. The rest of the family barely escaped with their lives. Mr. Stout was badly burned trying to rescue his daughter, and it is believed his wife is now dying as a result of prostration caused by the tragedy.

Three daughters were sleeping on the second floor. Two of them escaped by jumping out of the window. The other is supposed to have been suffocated before the fire was discovered. Mr. Stout missed his daughter, but before he could reach her, she was down. The night was cold and sleeting, and the family, who had nothing but their night clothes on, stood by helpless until the house was totally destroyed, and when distant neighbors came to their rescue they were nearly frozen to death. After the fire died down, the family gathered up the bones of the dead girl to add to their distress. Mr. Stout lost four hundred dollars in currency.

ENGINEER LOSES LIFE BY DEFECTIVE SWITCH

MACON, GA., February 25.—The Georgia Southern and Florida Railroad passenger train which left Macon at 12:50 o'clock this morning for Jacksonville, Fla., was wrecked about forty-five miles south of here at 2:20 A. M. Engineer Farmer, of Macon, was buried under his engine and killed. No passengers were injured. Three baggage and express cars and two passenger coaches were burned, but two Pullmans which remained on the track were saved. The cause of the wreck is supposed to have been a defective switch.

MEXICAN REVOLUTIONIST ESCAPES AT EL PASO

WASHINGTON, February 25.—Commissioner-General Sargent, of the Bureau of Immigration and Naturalization, to-day received a telegram from the immigration authorities at El Paso, Texas, reporting that Antonio Villarreal, the alleged Mexican revolutionist, escaped to-day just after being given a preliminary hearing before a United States commissioner. Mr. Sargent says that this government had not ordered the deportation of Villarreal, and that the prisoner was being taken to jail.

Richmonders in New York.

(Special to The Times-Dispatch.)
NEW YORK, February 25.—Wellington S. Benham and wife, D. B. Weisiger, Cumberland—C. Ross and wife, Cadillac—R. Johnson and wife, Victoria—J. W. Nokes, Reslin—L. Smith, Marlborough—J. R. Sheppard.